are eliciting. I would simply like to say that there are allegations and they are being looked into. These are under active consideration.

SHRI JAGDISH PRASAD MATHUR: I am referring to the case. There is no allegation सी०बी०आई० ने आपसे परमिशन मांगी है या नहीं मांगी है, मुझे यह बताइए ?

THE VICE-CHAIRMAN (SHRI SHANKAR DAYAL SINGH): Q. No. 22... (*Interruptions*)...

SHRI SIKANDER BAKHT: It is a very straightforward question. Either say yes or no... (*Interruptions*)...

श्री प्रमोद महाजन : इसका जवाब आना चाहिए कि सी०बी०आई० ने परमिशन मांगी है या नहीं मांगी है ?

उपसभाध्यक्ष (श्री शंकर दयाल सिंह) : आपको इस बात की आजादी है कि अगर जवाब ठीक से नहीं मिलता है तो इस पर आप हाफ-एन-आवर डिस्कशन की डिमांड करें । लेकिन क्वेश्चन आवर... **(व्यवधान)**

श्री जगदीश प्रसाद माथुर : जवाब तो देना चाहिए कि उन्होंने मांगी है या नहीं मांगी है । ... **(व्यवधान)** ऐसा कैसे होगा ... **(व्यवधान)**

उपसभाध्यक्ष (श्री शंकर दयाल सिंह): क्वेश्चन नं० 22 ।

श्री जगदीश प्रसाद माथुर : श्रीमन्, मंत्री महोदय जवाब देना चाहते थे, आपने रोक दिया । वह जवाब दे रहे थे । ... **(व्यवधान)**

श्री प्रमोद महाजन : यह भ्रष्टाचार की सुरक्षा है । ... **(व्यवधान)** बिल्कुल भ्रष्टाचार को सुरक्षा देना चाहते हैं ।

श्री जगदीश प्रसाद माथुर: श्रीमन्, आप मेरे साथ ... **(व्यवधान)**

उपसभाध्यक्ष (श्री शंकर दयाल सिंह) : अब माथुर साहब, आपसे मैं अनुरोध करूंगा कि दूसरा सवाल बोल दिया है । अब फिर लौट करके नहीं जाऊंगा । चलिए बोलिए । ... **(व्यवधान)** Q. No. 22.

Compensation to workers

*22. SHRI P. UPENDRA:†
SHRI V. NARAYANASAMY:

Will the PRIME MINISTER be pleased to state:

(a) whether the Core Group of State Labour Ministers have recommended that the compensation to workers in case of closure of industries should be increased to 45 days wages of every year instead of 15 days at present; and

(b) whether Government have accepted the recommendations, and if so, by when is it likely to be implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI PABAN SINGH GHATOWAR): (a) and (b) A statement is laid on the Table of the House.

Statement

The 40th Labour Ministers' Conference held on 6-2-92 decided to constitute a Group of Labour Ministers of five States under the Chairmanship of the Union Minister of State for Coal and Labour to further consider the recommendations of the Bipartite Committee on Industrial Relations Legislation which was headed by Shri Ramanujam and had submitted its report earlier to the Government. The Group of Labour Ministers in their meeting held on the 1st June, 1992 decided to recommend, *inter alia*, that the compensation to workers be increased from 15 to 45 days' wages in the case of closure for every completed year of continuous service. The Group is yet to

†The question was actually asked on the floor of the House by Shri P. Upendra.

finalise its report. The report, when finalised, will be placed before the Indian Labour Conference likely to be held in August, 1992 before any further action is taken at the level of the Government.

SHRI P. UPENDRA: Sir, the Core Group of Labour Ministry discussed amongst other things this subject also and the Minister has said that it will be placed before the Indian Labour Conference next month. Arising out of this is the question as to what the other recommendations of the Ramanujam Committee are which were discussed at the meeting. I would also like to ask what the issues were on which the members of the Ramanujam Committee had differed and there was no consensus.

SHRI PABAN SINGH GHATOWAR: Sir, in the meeting of the Core Group of Ministers, presided over by Sangmaji, they discussed nine points relating to the Trade Unions Act and 11 points relating to the Industrial Disputes Act. There was a unanimous decision in the Sub-Group about the compensation on retrenchment. With regard to the other things, Sir, there are more points to be discussed and sorted out amongst themselves and they have not finalised them. If the honourable Member wants. I can mention the points which they have discussed in that meeting. One point was registration of the trade unions and the other was minimum membership for registration. The other points were dual membership of the unions, ban on registration of certain trade unions, restriction on outsiders as office-bearers and members of the executive committee of a union, election of office-bearers, constitution of trade unions, etc These are the points which they have discussed in the meeting. With regard to industrial relations they have discussed about the coverage of the employees, definition of industry, coverage of employees in view of the enhanced pay scales, industrial grievances verification of membership, negotiations council, strikes and lock-outs, lay-offs, retrenchment, closure etc. These are the points which they have discussed in that meeting.

SHRI P. UPENDRA: Sir, there was another point which they have also discussed, but which the Minister has not stressed, and it is that the existing definition of employee should be retained and the ceiling on wages for various welfare schemes should be enhanced so that a larger number of workers will be benefited and will be covered. What is the thinking of the Government on this suggestion which was discussed in this meeting?

SHRI PABAN SINGH GHATOWAR: Sir, this was discussed in the meeting. But a final decision has not come as yet. Still there are differences in the Sub-Group also. I think that in the next meeting that is supposed to be held this month itself, they will discuss it and when it is finalised, we can indicate what the decision of the Sub-Committee is.

THE VICE-CHAIRMAN (SHRI SHANKAR DAYAL SINGH): Mr. V. Narayanasamy.

SHRI V. NARAYANASAMY: Sir, the information furnished by the honourable Minister on this particular question is not in accordance with the information that was furnished by Mr. Sangma in a conference on the New Industrial Policy wherein he addressed the representatives of the Associated Chambers of Commerce and Industry recently. Sir, in reply to the question put by the honourable Member, Shri Upendra, the Minister has said that still consensus has not been reached on various issues. I would only like to quote one sentence of the Minister. The honourable Minister, Mr. Sangma, has said: "The Committee of five Members has already reached a consensus on almost all issues in the Ramanujam Committee Report." This is the hon. Minister's statement at a conference of the Associated Chambers of Commerce and Industry. Sir, out of 360 million work force in our country, 30 million alone is in the organised and unorganised sector.

THE VICE-CHAIRMAN (SHRI SHANKAR DAYAL SINGH): You put your question.

SHRI V. NARAYANASAMY: Sir, I am coming to the question with a prelude

so that the Minister will answer properly. Sir, now, 4.5 lakh employees are the surplus labour according to a survey conducted by the Government. Sir, the Government of India has announced the setting up of the National Renewal Fund to compensate the retrenched employees. Sir, 15 days' wage that has been given to the employees for every completed year of service is too meagre. Therefore, the Core Group has accepted this. Sir, leaving alone the Core Group's decision, I would like to know the Government of India's stand on this. That is very important. Therefore, I would like to know from the hon. Minister as to what is the stand of the Central Government on this issue.

THE MINISTER OF STATE OF THE MINISTRY OF COAL WITH ADDITIONAL CHARGE OF MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): Sir, many conferences do take place where we are required to go and address.

SHRI V. NARAYANASAMY: I am referring to only one conference.

SHRI P. A. SANGMA: Okay. Normally people come to know what we say in the conference through newspapers. I am sure the hon. Member is talking about this information in the newspaper. But when there is a question of information given through the newspaper and on the floor of the House. I think what we state on the floor of the House is the anthentic version of the Government, and you need not worry about what you read in the newspaper. (*Interruptions*)

Sir, there are two Acts which are under the consideration of the Government which govern the industrial relations in our country, and we are contemplating to bring amendments to these two Acts. One is the Industrial Disputes Act, and the other is the Trade Union Act. This was discussed by many conferences of the Labour Ministers, the Indian Labour Conference, the Standing Labour Committees, and in many forums. And the exercise has been going on since 1982. I did say in some of the conferences that as far as the amendment to the Trade Union Act is concerned, there is more or less unanimity among all the central trade union leaders, and that relates to, No. 1, registration of the trade unions. Everybody agreed that registration of trade unions must be compulsory. There is no difference of opinion on that. Then there is also unanimity that the number of membership should be settled...

AN HON. MEMBER: This is another issue.

SHRI P. A. SANGMA: Actually the question is not very relevant because it relates only to the retrenchment. But, since the... (*Interruptions*)

SHRIMATI KAMLA SINHA: Sir, you must give us protection. The Minister is cleaverly misleading the House.

SHRI V. NARAYANASAMY: What is the Central Government's stand in regard to increasing 15 days' wages? That was my pertinent question.

SHRI P. A. SANGMA: Sir, the Central Government has not taken, and cannot take a decision at this stage because this matter is being discussed at the level of the Group of Labour Ministers. After this, it will go to the Labour Ministers' conference, and then it will go to the Indian Labour Conference which exercise we hope to complete by the end of July. And only after that the Government will take a decision.

SHRI SUKOMAL SEN: Sir, I do not know what he wanted to impress upon the House since the question is very specific.

SHRIMATI KAMLA SINHA: He wanted to confuse the House.

SHRI SUKOMAL SEN: The question is very specific because there was a recommendation by the Ramanujam Committee that for closure, compensation should be 45 days' wages instead of 15 days' wages as at present.

Sir, closure has become a very serious malady in the industrial scene of the

country. Now what he says is that even this recommendation will now be sent to the next Labour conference. Sir, the last Labour Conference has appointed the Ramanujam Committee. Then, Labour Ministers' conference was held on 6-2-1992. Now it has come as a recommendation and again it is going to the next Labour Ministers' conference. It only means that since it is a suggestion in the interest of the workers, the Government is trying to delay the matter and the hon. Minister, through his confusing statement, is trying to wriggle out of the situation. I would like to know as to why, after so many discussions have already taken place and recommendations have come from one committee to another committee, the matter in being delayed and why it is being passed on to another Labour Ministers' conference. This recommendation came from the last Labour Ministers' conference through a process and now they are going to send it to another Labour Ministers' conference. Why is this vicious circle? Why is the Government not forthright on this matter? What is the difficulty for the Government to accept this recommendation immediately? Otherwise, the workers will suffer. You know the condition of the industries in the country. Hundreds of units are being closed down and workers thrown on the street. Mr. Ramanujam does not belong to any left party; he is the leader of INTUC and it was under his guidance that this recommendation was made. INTUC belongs to the party which is a ruling party. I do not know why the hon. Minister is not taking a forthright stand on this question.

SHRI P. A. SANGMA: It is not a fact that the Government of India, our Government, is trying to delay the matter. In fact, the Bill was introduced on the floor of this House on 13th May 1988. That Bill was finalised when I was the Labour Minister during 1986-87 and we had finalised everything. It was introduced on the floor of Rajya Sabha on 13th May 1988. Then in 1990, when the Bill was pending before this august House, the then Government decided that this Bill which was introduced in Rajya Sabha must be reviewed, and therefore, another Indian Labour Conference was called by the then Government on April 21-22 and in that meeting they decided that the Bill should be withdrawn from the Rajya Sabha and accordingly, the Bill was withdrawn on 30th May 1990, and in that meeting they decided that this must be referred to another committee, which is Ramanujam Committee. Therefore, I want to say it categorically that as far as our Government is concerned, we want to expedite it as soon as possible, and we have no intention of delaying it.

डा० अबरार अहमद : माननीय उपसभाध्यक्ष महोदय, मूल प्रश्न में किसी भी उद्योग के बंद होने पर कामगारों को 15 दिन का मुआवजा दिया जाए या 45 दिन का मुआवजा दिया जाए, इस संबंध में पूछा गया है। मैं माननीय मंत्री महोदय से यह जानना चाहता हूं कि किसी औद्योगिक इकाई का 5 साल से उत्पादन बंद हो और श्रमिक रोजाना वहां हाजिरी देने के लिए जाते हों, लेकिन 30 दिन के बाद उनको वेतन नहीं मिलता हो तो उस औद्योगिक इकाई को आप किस श्रेणी में रखेंगे तथा आपके मंत्रालय का इस संबंध में क्या दायित्व होगा? इस संबंध में मैं सवाई माधोपुर सीमेंट फैक्टरी का उदाहरण देना चाहता हूं कि 5 साल से वहां उत्पादन बंद है, श्रमिक रोजाना हाजिरी देने जाते हैं लेकिन 30 दिन के बाद उनको वेतन नहीं मिलता है।

इसी से संबंधित मेरा दूसरा प्रश्न यह है कि इसमें बंद उद्योग की बात कही गई है तो बंद उद्योग की क्या परिभाषा है किसी उद्योग के कितने दिन बंद रहने या उत्पादन बंद रहने पर उसके बंद की घोषणा कर दी जाती है? क्या इस संबंध में अब तक कोई सीमा निश्चित है? जो औद्योगिक इकाइयां बंद कर दी गई हैं क्या उनका मुआवजा दे दिया गया है?

SHRI P. A. SANGMA: The question specifically refers to the proposal for the amendment of the Industrial Disputes Act. It is not a question of delay in

payment; it does not arise here, because it relates to proposal for amendment. Section 25F and section 25FFF of the Industrial Disputes Act deal respectively with the retrenchment and closure. Now the present law says that in the event of retrenchment, a worker who has served in a particular industry for not less than one year, should be given compensation of 15 days' salary for each year of service. The same law applies in the case of closure. Now, the proposal is that from 15 days of payment for each year of service, it should be increased to 45 days. In fact, the Ramanujam Committee has suggested that it should be 30 days. The Government of West Bengal has also suggested that instead of 15 days, it should be 30 days. But in the Labour Ministers' Conference, particularly, the Uttar Pradesh Minister and the Andhra Pradesh Minister wanted that it should be 45 days. that is how the Group of Labour Ministers is recommending that instead of 15 days, as it stands today, it should be increased to 45 days for each year of service. This recommendation will go through the conferences and, ultimately, come to the Government and we will take a decision later.

उपसभाध्यक्ष (श्री शंकर दयाल सिंह) : श्री चिमनभाई मेहता ।

डा० अबरार अहमद : इस सम्बन्ध में आपका संरक्षण चाहिए। मैंने केटेगोरिकली सवाई माधोपुर सीमेंट फेक्टरी के बारे में उदाहरण देते हुए कहा था कि श्रम मंत्रालय का इस संबंध में क्या दायित्व है ? पांच साल से यदि कहीं मजदूर को वेतन नहीं मिलता है और न उस उद्योग को बंद करने की घोषणा करके मुआवजा मिलता है तो इस संबंध में आपका मंत्रालय क्या करेगा ?

उपसभाध्यक्ष (श्री शंकर दयाल सिंह) : डाक्टर साहब सवाई माधोपुर के बारे में स्पेसिफिक इनसे बात कर लीजिए । मैं एक मेम्बर को बुला चुका हूं ।

डा० अबरार अहमद : सवाई माधोपुर का मैंने उदाहरण दिया है । इस प्रकार के कई केस हैं तो इस संबंध में मंत्री महोदय का, मंत्रालय का क्या दायित्व है यह मैंने पूछा था, और आपने कुछ नहीं कहा।

श्री चिमन भाई मेहता : मेरा प्रश्न यह है कि बहुत सी पब्लिक सेक्टर यूनिट्स भी बीमारी से गुजर रही हैं, बंद होने पर हैं, एन०टी०सी० ने भी बजटरी सपोर्ट बंद कर दिया है । कैसे चलाते हैं यह एक मुश्किल बात है मैं समझ सकता हूं । आप एक्ट की बात कर रहे हैं लेकिन 15 दिन के बदले 45 दिन पर भी अगर आप सहमत हैं तो बगैर एक्ट भी पब्लिक सेक्टर यूनिट्स में अगर मिनिस्ट्री चाहे तो 45 दिन का कम्पनसेशन देकर कोई इंडस्ट्री बंद करना चाहे या कोई डिपार्टमेंट बंद करना चाहे तो उसको अलग करके आप यह काम क्यों नहीं करते । एक्ट में अमेंडमेंट का बहुत बड़ा प्रोसिजर है यह आपने बताया । लेकिन हर चीज को एक्ट के साथ नहीं जोड़ा जाना चाहिए । कभी-कभी एडहोक मैजर्स भी लिये जाते हैं । क्योंकि सिच्युएशन बहुत इमरजेंट पैदा हो गई है अहमदबाद की एन०टी०सी० की सभी मिलों की बहुत बुरी हालत है तो आप जरा इस बारे में सोचिए और मुझे बताइये । Why don't you think of taking an *ad hoc* measure for an immediate solution to the problem?

SHRI P. A. SANGMA: Sir, we have already a scheme for voluntary retirement, as far as the public sector enterprises are concerned. This scheme was finalised and notified as far back as on 5th October, 1988. Therefore, to meet the immediate problem, before these amendments are finalised, we have this voluntary retirement scheme drawn up by the Department of Public Enterprises and notified on 5th October, 1988. I should think that if anybody wants to avail of this scheme, which is in existence today, they can do so. They are most welcome to implement it in their public sector enterprise.